THE HIGH COURT OF DELHI AT NEW DELHI

% Judgment delivered on :13.03.2007

\+ WP(C) No.4695-96/2004

SALIM ANSARI & ANOTHER ...Petitioners

- versus -

UNION OF INDIA & OTHERS ...Respondents

Advocates who appeared in this case:
For the Petitioners : Mr Rajesh Gupta with Ms Harpreet Singh
For the Respondents. 1 to 3 : Ms Monika Garg

CORAM:-
HON'BLE MR JUSTICE BADAR DURREZ AHMED

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporter or not?

3. Whether the judgment should be reported in Digest?

BADAR DURREZ AHMED, J (ORAL)

1. The learned counsel appearing on behalf of the respondents 1, 2 and 3, submits that National Youth Awards, which is the subject matter of the present petition, are given on the basis of the Code of Procedure issued by the Ministry of Youth Affairs and Sports, Government of India, Shastri Bhawan, New Delhi. A copy of the Code of Procedure has been placed as Annexure-P-1 to the writ petition. The learned counsel appearing on behalf of the

respondents 1 to 3 further submits that the National Youth Awards are conferred on young persons to motivate them to achieve excellence in the field of National or Social Service. The awards were initially granted to the persons aged between 15-35 years, but it has now been modified to 13-35 years. She submits, with reference to the Code of Procedure, that the conditions for eligibility are that the person should be within the specified age group. Secondly, the person should have rendered service in the relevant field during the financial year for which the award is to be given and that the person should be one who is likely to continue to involve himself / herself in such activities for at least another two years after the conferment of the award. Another condition that is relevant is that the service rendered should be of a voluntary nature. There are other considerations also which are given in the Code of Procedure. It is pointed out that the submissions of proposals for the award are to come initially from universities, colleges, local development departments, private bodies, public sector undertakings, Nehru Yuva Kendras, etc. and their recommendations / proposals are to be submitted to the District Magistrates / Collectors by the 10th of June every year. These proposals are then forwarded to the Selection Committee at the District level. The District level Selection Committee proposals are then placed before the State Level committee which recommends the case of certain individuals based on the various criteria mentioned above. These recommendations are then ultimately placed before the National Level Committee known as the Central Selection

Committee. In addition to the recommendations received through the aforesaid channels, the Selection Committees at all the different levels, i.e., the District, State or National, may in their discretion, consider, on merits, individuals who may not have been recommended by any body, but who are considered to be suitable by the Selection Committee. It is only after this rigorous procedure is followed that the National Committee comes out with the list of 25 awardees which is the limit prescribed. Of course, there is no lower limit inasmuch as in any particular year if there are not enough suitable persons, then the number of awardees may be less than 25.

2. The grievance of the petitioners is that they were recommended by the State Level Selection Committees, but were not appropriately considered by the National Level Committee. The petitioner No.1's case was recommended by the State of Bihar, whereas the petitioner No.2 was recommended by the State of Delhi. The further case of the petitioners is that the persons, who did not go through the channel of submitting the proposals at the District Level, then to the State Level and ultimately to the National Level, have been considered on an *ad hoc* basis on the basis of some letter issued by the Private Secretary of the Minister of State for Youth Affairs and Sports. A copy of the said letter dated 17.11.2003 has been placed on record which does indicate that the Minister had desired that the names of four persons, who were not in the list of recommendations, be also considered for awards. According to the learned

counsel for the petitioner, such a letter ought not to have been written and, secondly, the awards should not have been given to such persons.

3. However, the learned counsel for the respondent Nos. 1 to 3 submits that the said letter should be seen in the correct perspective. It was only a letter forwarding the names of four persons who were sought to be included in the zone of consideration. She submits that all of them have not been granted the awards. In fact, Sh. Anil Jha and Ms Sonia Dewan were not conferred the awards and only Ms Ritu Goel [Respondent No.4] and Mr Nitya Nand Mahato [Respondent No.7] were granted the awards after due consideration of their detailed proforma and their activities.

4. The learned counsel for the respondents 1 to 3 also submits that the Code of Procedure prescribed shall, in future, be followed in letter and spirit for selecting the awardees for the National Youth Awards. She also submits that in case the petitioners have not gone beyond the age limit prescribed and in case they fall within the other eligibility criteria, their cases would be considered for grant of awards. She further submits that no award would be given to any person who does not fall within the eligibility criteria and if such an error is pointed out, the same shall be corrected.

5. In view of these statements / submissions made by the learned counsel for the respondents 1 to 3, this writ petition is disposed of. It is expected that the respondents 1 to 3 shall adhere to these statements and shall comply with all the requirements of the Code of Procedure both in letter and spirit for future awards.

The writ petition stands disposed of.

BADAR DURREZ AHMED
(JUDGE)

March 13, 2007
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